

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION

WAYNE HAROLD BLYTHE, )

Plaintiff, )

vs. )

CV 99-AR-2543-M

MAGISTRATE JUDGE KEVIN GRIMES; )

JUDGE JOHN C. KELSEY; )

JUDGE RANDALL COLE; )

and JUDGE DAVID RAINS, )

Defendants. )

FILED

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U.S. DISTRICT COURT  
N.D. OF ALABAMA

ENTERED

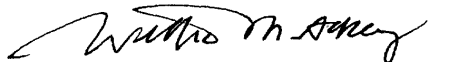
DEC 28 1999

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on December 2, 1999, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b)(2). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b)(2). A Final Judgment will be entered.

DATED this 28<sup>th</sup> day of December, 1999.



WILLIAM M. ACKER, JR.  
UNITED STATES DISTRICT JUDGE